



PUBLIC NOTICE

US Army Corps
of Engineers
New York District
Jacob K. Javits Federal Building
New York, N.Y. 10278-0090
ATTN: Regulatory Branch

In replying refer to:
Public Notice Number: 2005-01036-YN
Issue Date: March 17, 2006
Expiration Date: April 06, 2006

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: New York State Canal Corporation
200 Southern Boulevard
P.O. Box 189
Albany, NY 12201-0189

ACTIVITY: Maintenance dredging with upland disposal and return flow to the waterway.

WATERWAY: Champlain Canal (Hudson River)

LOCATION: Town of Schaghticoke, Rensselaer County, New York.

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE,
otherwise, it will be presumed that there are no objections to the activity.

CENAN-OP-RW
PUBLIC NOTICE NO. 2005-01036-YN

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites included in the Register within the permit area. However, the entire New York State Barge Canal System, including the Champlain Canal, is eligible for inclusion in the National Register of Historic Places. By issuance of this public notice, the New York District has commenced coordination with the State Historic Preservation Officer to ensure that the requirements of Section 106 of the National Historic Preservation Act are satisfied. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (518) 273-7420 and ask for Christine Delorier.

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>

FOR/ [Signature]
Richard L. Tomer
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

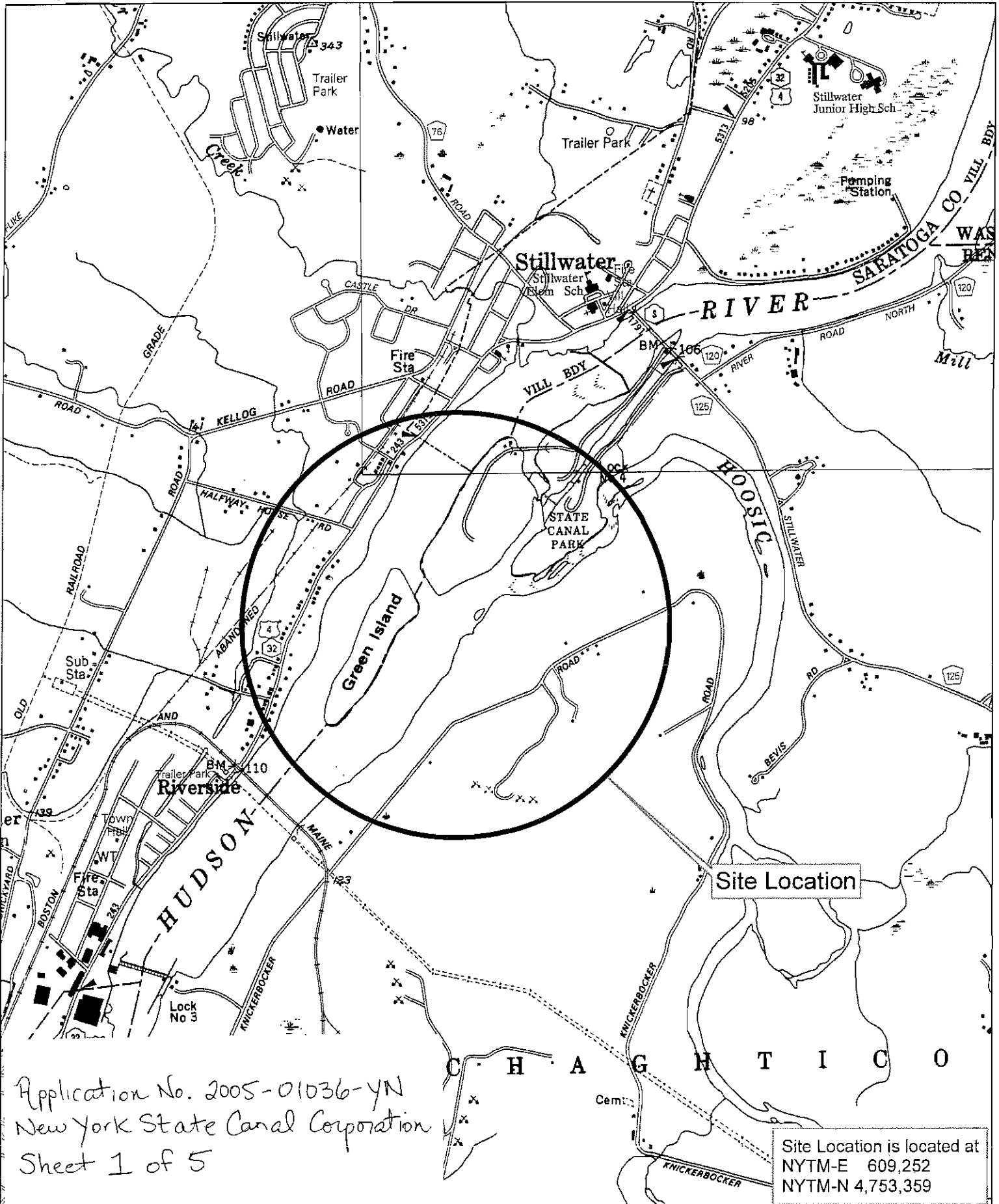
The applicant, New York State Canal Corporation, has requested Department of the Army authorization to perform maintenance dredging, with upland disposal and return flow to the waterway, within the Champlain Canal portion of the New York State Barge Canal System. The dredge and disposal sites are currently known as "Dredge Site 1-6-4&E" and "UDS 1-4", respectively, and are located in the Town of Schaghticoke, Rensselaer County, New York.

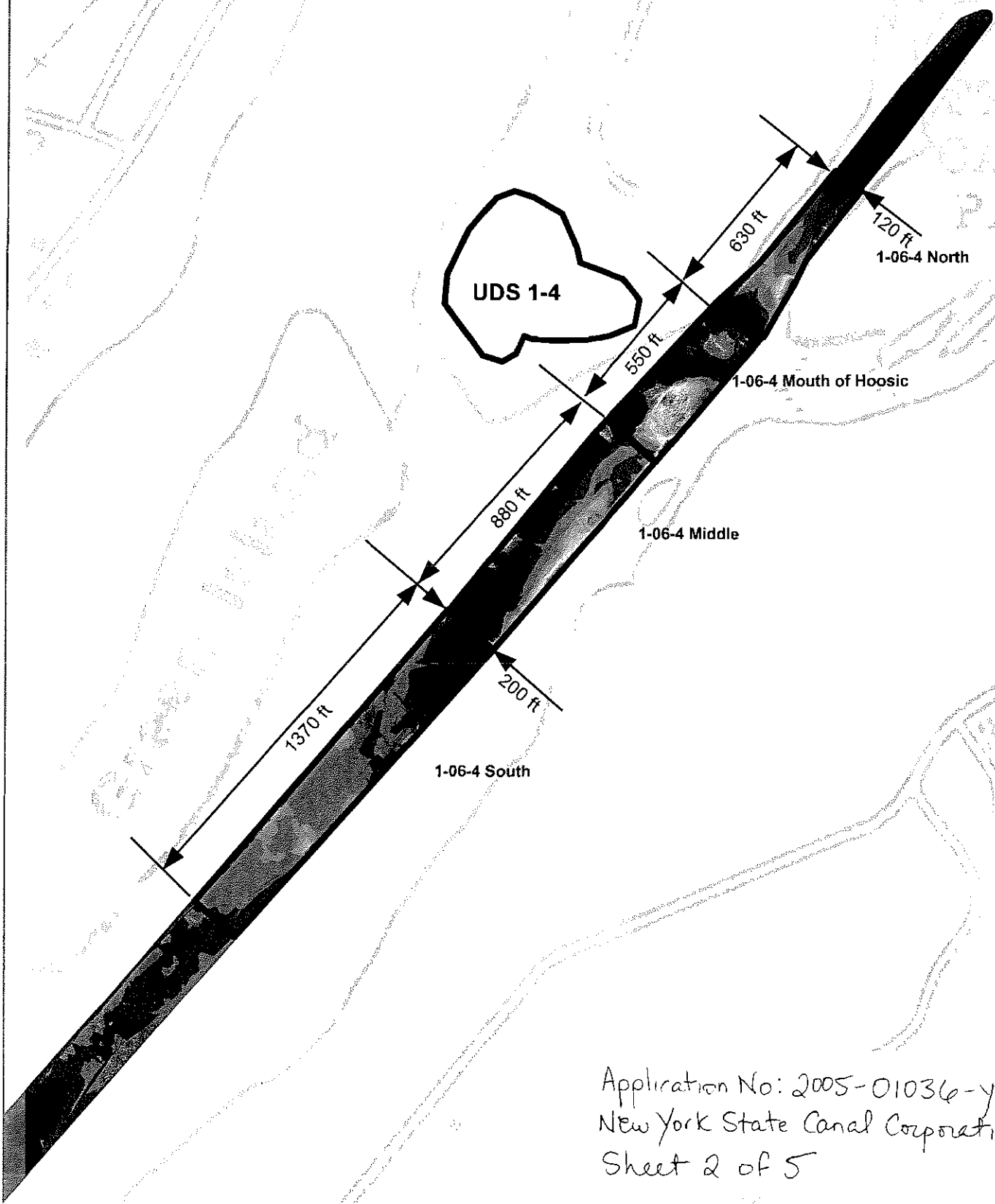
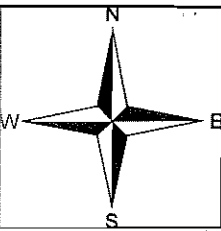
The work would involve dredging approximately 112,554 cubic yards of coarse grained sediment that originated from the Hoosic River and deposited in four distinct locations within Dredge Site 1-6-4&E. A maximum area of 660,800 square feet of the Champlain Canal would be dredged to re-establish the navigation channel depth of 12 feet below normal pool elevation. The applicant is requesting approval for up to two feet of allowable overdepth under this permit application. The New York State Canal Corporation would use a hydraulic dredge to remove the sediment, which would then be pumped to UDS 1-4 for disposal. The upland disposal site is an established, State-approved site that was last used in 2002. Return flow from UDS 1-4 to the Champlain Canal is proposed. The New York State Canal Corporation conducted chemical testing of sediment samples collected in the area to be dredged, as required by the New York State Department of Environmental Conservation (NYSDEC). The results of this sampling effort showed that PCB's were not detected in any of the samples at the detection limits required by NYSDEC.

The stated purpose of this project is to restore the subject section of the Champlain Canal to its established navigational depth.

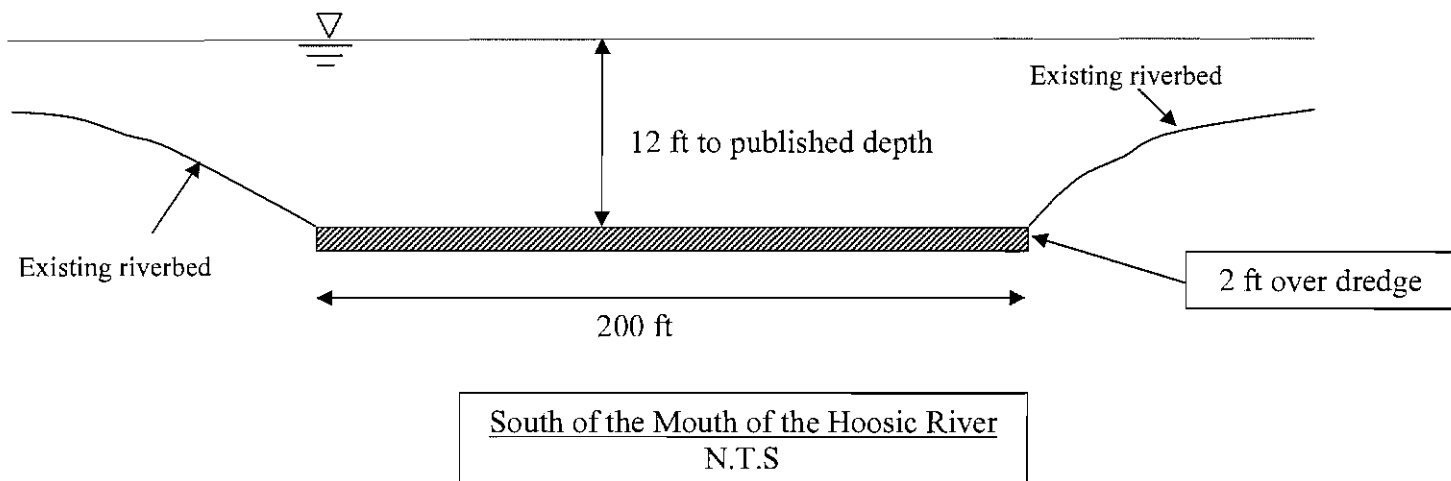
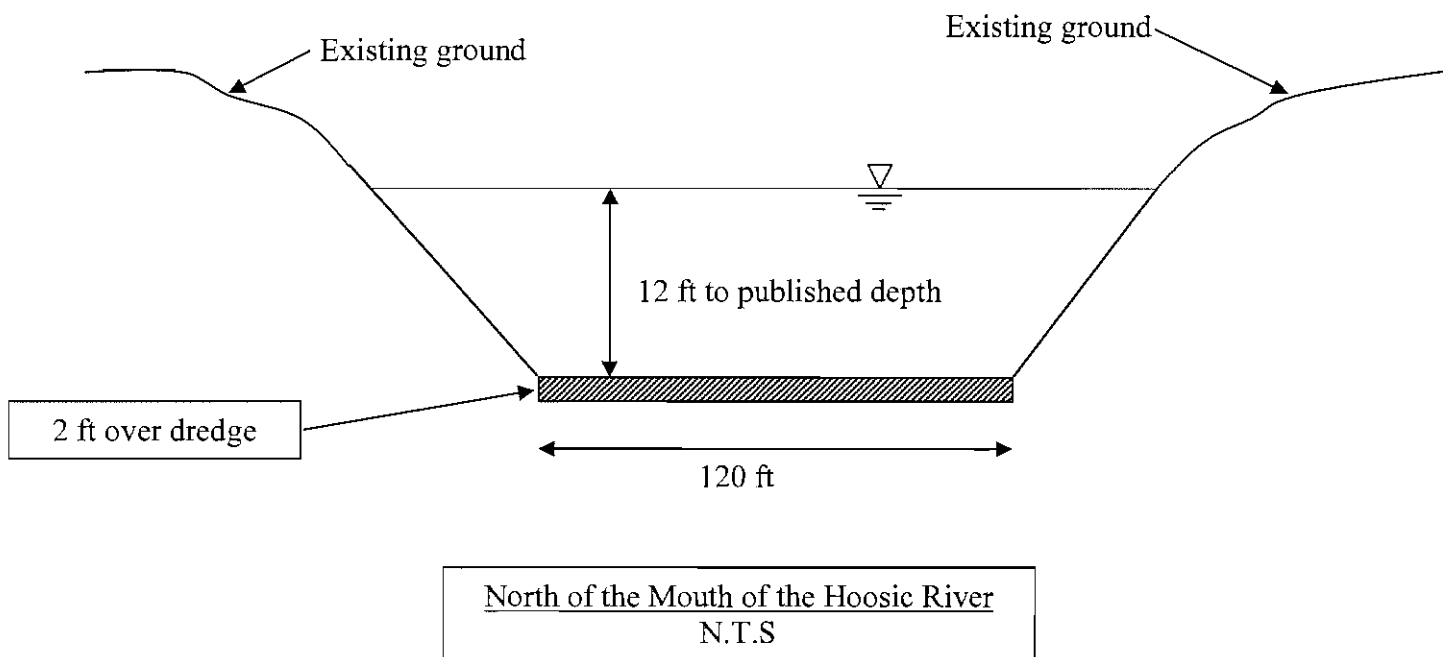


Location Map for Dredge Site 1-6-4,E and UDS 1-4





Application No: 2005-01036-yN
New York State Canal Corporation
Sheet 2 of 5



UDS 1-4

Canal Property Line

Access Road

24" Diameter Submerged Release Pipe

Champlain Canal

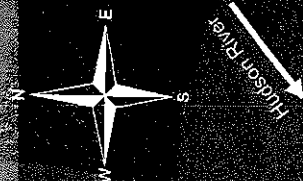
Spill Box

4 - 14" Pipes Through Berm

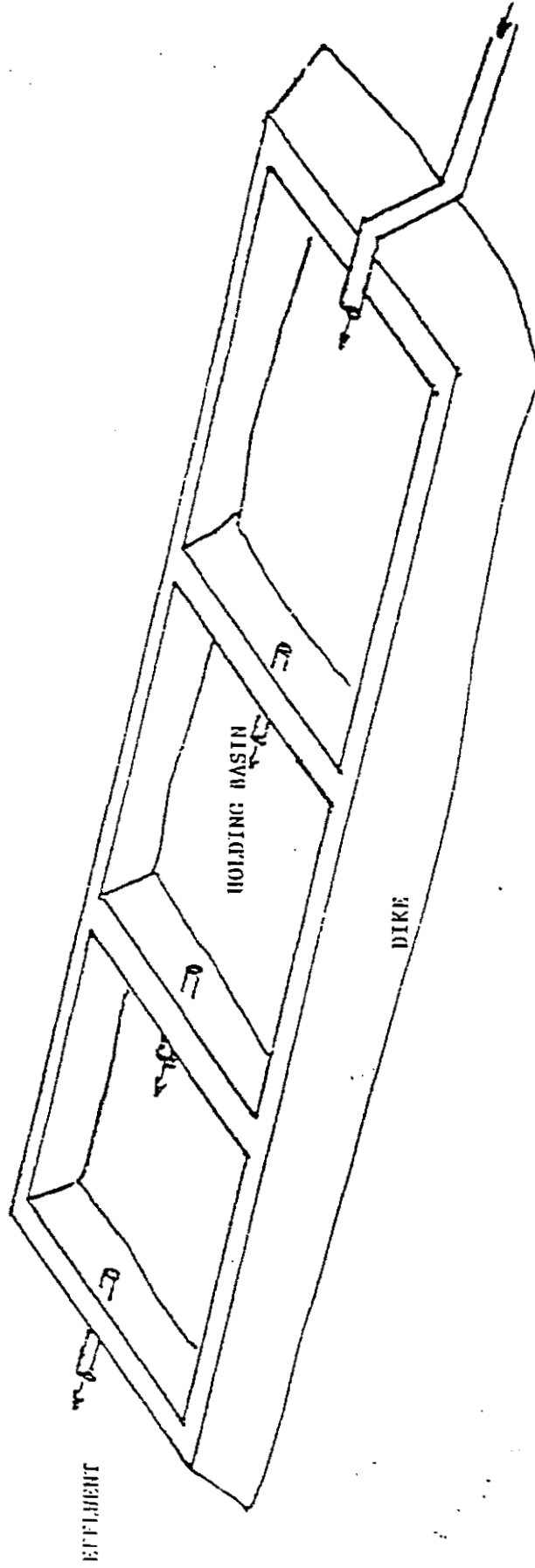
Intermediate Dike

Access Road

Inlet Pipe Location



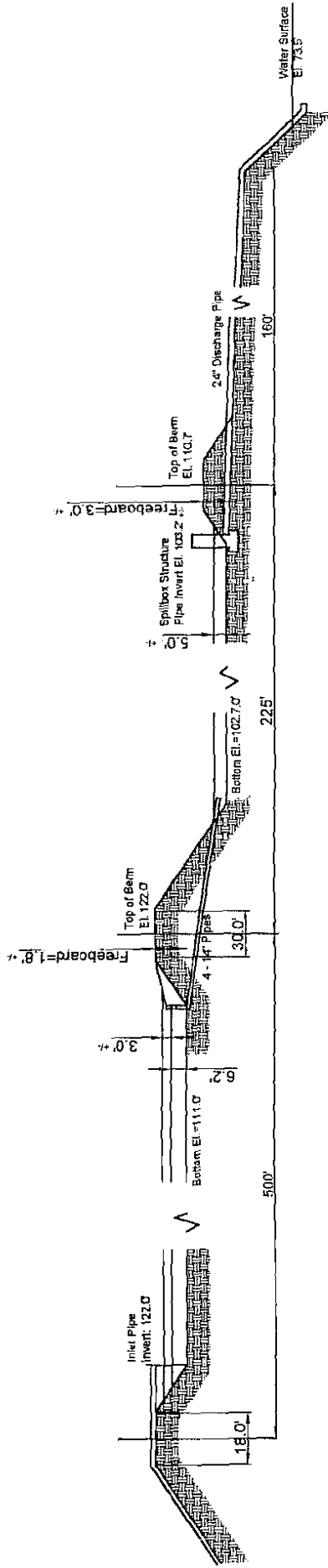
Application No. 2005-01036-YNL
New York State Canal Corporation
Sheet 3 of 5



THIS MULTI-BASIN SYSTEM IS USED WHERE THE MATERIAL IS CONSTANTLY FINE. MOST OF THE MATERIAL SETTLES OUT IN THE FIRST BASIN AND THE REST SETTLES OUT IN THE THIRD BASIN. THIS CREATES A LONG RETENTION TIME IN VERY STILL WATER.

UPLAND DISPOSAL

Application No. 2005-01036-YN
 New York State Canal Corporation
 Sheet 4 of 5



Note: Elevations shown are in feet, Barge Canal Datum

New York State Canal Corporation
Albany Division
200 Southern Blvd., Albany, NY 12209

Title of Project

UDS 1-4

Location of Project

Schaghticoke, Rensselaer County

Title of Drawing

Cross-Section

Not to Scale

Date: March 28, 2002

Application No. 2005-01036-YN
New York State Canal Corporation
Sheet 5 of 5